

REMARKS

Claims 39-48, 51-55, 57-67, 70-72, 75-77 and 80-82 stand rejected in view of U.S. Pat. Nos. 5,316,243 and 5,752,781 to Hennenberger and Haataja respectively (hereinafter “Henneberger” and “Haataja”). Claims 49, 50, 56, 68, 69, 73, 74, 78, 79, 83 and 84 stand objected to but would be allowable if rewritten in independent form. All claims with the exception of independent claim 47 are hereby cancelled. Applicants respectfully present new claims 86-110.

Applicants gratefully acknowledge the courtesies extended by Examiner Wood during the telephonic interview of September 14, 2006 (“Interview I”) and the personal interview conducted on October 10, 2006 (“Interview II”).

Before addressing the substance of the Office and Advisory Actions, some brief background concerning procedural matters would be helpful.

The Advisory Action

As previously mentioned, the Office Action indicated that claims 49, 50, 56, 68, 69, 73, 74, 78, 79, 83 and 84 would be allowable if rewritten in independent form. Applicants’ Response After Final, filed on August 30, 2006, sought to incorporate the allowable subject matter recited by certain of these claims into the pending independent claims. For example, claim 47 sought to incorporate the “barb cover” limitation, previously recited by claim 49.

The Advisory Action of September 10, 2006, however, refused entry of the proposed amendment, stating that Applicants’ inclusion of the terms “‘first side’ and ‘second side’ raises a new issue for further consideration and/or search.” During Interview I, Examiner Wood indicated that even if Applicants removed the “first and second side” limitations, claim 49 was no longer deemed to recite allowable subject matter, rendering claim 47 unpatentable. It was therefore agreed that the finality of the rejection would effectively be withdrawn once Applicants eliminated the new issue raised by the Advisory Action. Accordingly, at the conclusion of Interview I, Examiner Wood invited Applicants to file amended or new claims for consideration.

Applicants have cancelled all claims reciting the terms “first and second sides.” Although independent claim 47 remains in the application, Applicants are willing to cancel this claim upon entry of the newly presented claims, discussed hereinafter.

Newly Presented Claims 86-110

Applicants respectfully submit newly presented claims 86-110. Claims 86, 94, 99 and 106 are independent claims.

Support for new claims 86-110 can be found throughout Applicants’ originally filed specification. Support for the cover and mount limitations recited by claims 86, 94, 99 and 106 can be found in the priority document incorporated by reference by the instant application – U.S. App. Serial No. 09/585,699, now U.S. Pat. No. 6,450,458 (hereinafter the “‘699 application”). A copy of the originally filed written description of the ‘699 application is attached as Exhibit A. The ‘699 application, at page 6, states:

It may be desirable to provide a cover 500, as shown in FIG. 4, to cover retention clip 300. Cover 500 should include a hole to receive fastener 400 therethrough. Alternatively, the cover 500 may include a fastener 400 molded or otherwise formed on an underside thereof, which can be inserted into mounting clip 180.

The ‘699 application, at page 4, also teaches use of mount 180, which as shown in Fig. 5 defines an opening for receipt of fastener 400. As concerns the limitation reciting “at least one detent positioned on the fastener,” the ‘699 application, at page 6, states “fastener 400 may permanently affix retention clip 300 onto the duct coupler 100, but may be provided with detents. . . .”

During Interview II, Applicants’ representative and Examiner Wood discussed draft claims reciting the limitations set forth in new claims 86-110. It was agreed that neither Hennenberger nor Haataja taught or suggested “a cover overlying at least a portion of said barb, said cover comprising a fastener integral therewith for securing said barb to said coupler” in combination with “a mount defining an opening for receiving said fastener,” as recited by new independent claims 86 and 99. It was further agreed that

Hennenberger and Haataja failed to teach or suggest “a cover overlying at least a portion of said barb, said cover defining an aperture for receiving a fastener,” as recited by new independent claims 94 and 106.¹

Given the foregoing, Applicants respectfully submit that independent claims 86, 94, 99 and 106 are allowable over the prior art of record. Likewise, dependent claims 87-93, 95-98, 100-105 and 107-110 are allowable as depending on allowable base claims.


¹ Examiner Wood’s Interview Summary, attached as Exhibit B, reflects that “proposed claims 1, 10 and 19 appear to be allowable over the art of record” namely Hennenberger and Haataja. Proposed claims 1, 10 and 19 recited the limitations used to distinguish these references.

CONCLUSION

Applicants respectfully submit that all pending claims are now in condition for allowance.

Respectfully submitted,
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